

MONDAY, MAY 2, 1983

THIRTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Dr. Don Finto, Belmont Church of Christ, Nashville, Tennessee.

Representative Covington led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--95.

The Speaker announced that Representative Yelton was excused because of legislative business in Washington.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate

Bills Nos. 198, 208, 423, 1087 and 1091; also, Senate Joint Resolutions Nos. 67, 94 and 100; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 204, 507, 552, 553, 675, 720, 853, 887, 1281, 1283, 1286, 1287, 1288, 1295, 1297, 1298, 1300 and 1301; House Resolution No. 30; and House Joint Resolutions Nos. 62, 216 and 217; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 204, 507, 552, 553, 675, 720, 853, 887, 1281, 1283, 1286, 1287, 1288, 1295, 1297, 1298, 1300 and 1301; House Resolution No. 30; House Joint Resolutions Nos. 62, 216 and 217; Senate Bills Nos. 198, 208, 423, 1087 and 1091; Senate Joint Resolutions Nos. 67, 94 and 100.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 268, 276, 298, 311, 386, 492, 580, 599, 634, 724, 758, 899, 901, 912, 1194 and 1271; and House Joint Resolutions Nos. 144, 145, 148 and 182, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 779, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Murphy, House Bill No. 779 was returned to the Senate as requested.

CALENDAR

House Bill No. 224--To prohibit fishing by nets, certain places.

On motion, House Bill No. 224 was made to conform with Senate Bill No. 229.

On motion, Senate Bill No. 229, on same subject, was substituted for House Bill No. 224.

Mr. Pickering moved that Senate Bill No. 229 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	6
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Williams, Wix, Wood and Work--84.

Representatives voting no were: Crain, Henry, Robertson, Stallings, Whitson and Wolfe--6.

Representatives present and not voting were: Copeland, Miller and Montgomery--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1029--To amend Section 49-4203, Code.

Mr. Whitson moved that House Bill No. 1029 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1029 by deleting Section 1 in its entirety, and by substituting in lieu thereof the following new Section 1 to read as follows:

SECTION 1. Tennessee Code Annotated, Section 49-4203 is hereby amended by inserting after the word "institutions" the language "and area vocational-technical schools" wherever the word "institutions" appears in this subsection.

AND FURTHER AMEND by deleting Section 2 in its entirety and by substituting in lieu thereof the following new Section 2 to read as follows:

Tennessee Code Annotated, Section 49-4204 is hereby amended by inserting the language "and area vocational-technical schools. However, the provisions of 49-4203 regarding approval or disapproval of all proposals for new degrees or degree programs shall not be construed as applicable to the state's area vocational-technical schools so long as these schools do not confer degrees." at the end of the last sentence. Further, the word "and" between the phrase "community junior colleges and the state's technical institutes" will be deleted and replaced with a comma.

Mr. Cobb moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting in Section 1 as amended the word "subsection" and substitute the word "section".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Rhinehart asked to be recorded as voting "No" on Amendment No. 1.

Thereupon, House Bill No. 1029, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner,

Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--91.

Representatives voting no were: Hassell and Kent--2.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 667--To make certain provisions, child support orders.

Mr. Dills moved that House Bill No. 667 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 667 by deleting the words "subsection (b) and (c) in their" from the second line of Section 1 and substituting instead the words "subsection (b) in its".

AND FURTHER AMEND by deleting subsection (c) of Section 1 in its entirety.

AND FURTHER AMEND by deleting Section 2 in its entirety.

On motion, the amendment was adopted.

Thereupon, House Bill No. 667, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaña, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Dills moved that Senate Bill No. 462 be placed on the Calendar for Wednesday, May 4, 1983, which motion prevailed.

Mr. Davis (Hamilton) moved that House Bill No. 171 be placed on the Calendar for Wednesday, May 4, 1983, which motion prevailed.

Mr. Murphy moved that House Bill No. 1073 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Elsea moved that House Bill No. 704 be placed on the Calendar for Wednesday, May 4, 1983, which motion prevailed.

House Joint Resolution No. 167--Relative to the Tennessee Educational Television Network Act.

Mr. Wood moved that House Joint Resolution No. 167 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 462--To make certain provisions, state employees insurance.

On motion, House Bill No. 462 was made to conform with Senate Bill No. 249.

On motion, Senate Bill No. 249, on same subject, was substituted for House Bill No. 462.

Mr. Bragg moved that Senate Bill No. 249 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 467--To make provisions, state employees profit sharing plan.

On motion, House Bill No. 467 was made to conform with Senate Bill No. 251.

On motion, Senate Bill No. 251, on same subject, was substituted for House Bill No. 467.

Mr. Bragg moved that Senate Bill No. 251 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Burnett moved that House Bill No. 1185 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

House Bill No. 1213--To amend Section 56-4-207, Code.

Mr. Scruggs moved that House Bill No. 1213 be placed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Copeland moved that the rules be suspended for the immediate consideration of House Bill No. 499, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 499--To create Tennessee Competitive Export Corporation.

SENATE AMENDMENT NO. 3

Amend House Bill No. 499 by deleting in subsection (e) of Section 6 the following: "its viability,"

AND FURTHER AMEND by deleting in subsection (b) of Section 11 the following: "Notwithstanding that they may be a nonresident of Tennessee or incorporated under the laws of the United States or any states thereof." and substituting the following:

"provided that they are incorporated under the laws of Tennessee."

AND FURTHER AMEND by adding in subsection (e) of Section 11 after the words "from time to time in such" the following: "obligations of the state of Tennessee,"

AND FURTHER AMEND by adding at the end of the first sentence of Section 14 the following:

"Investment in such securities shall be subject to the standard of care of a fiduciary as provided in Tennessee Code Annotated, Section 35-320."

Mr. Copeland moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 378--To lease unused school buildings.

On motion, House Bill No. 378 was made to conform with Senate Bill No. 559.

On motion, Senate Bill No. 559, on same subject, was substituted for House Bill No. 378.

Mr. Drew moved that Senate Bill No. 559 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry,

DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

On motion of Mr. Disspayne, his name was removed as sponsor of House Bill No. 657.

Mr. Covington moved that House Bill No. 657 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

House Bill No. 1100--to make criminal offense, baiting fields.

On motion, House Bill No. 1100 was made to conform with Senate Bill No. 1009.

On motion, Senate Bill No. 1009, on same subject, was substituted for House Bill No. 1100.

Mr. Hillis moved that Senate Bill No. 1009 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1009 by adding the words "or manipulating" between the words "practice of leaving" and "standing crops" in subsection (a) of the amendatory language of Section 1.

AND FURTHER AMEND in Section 1 by deleting the words "any birds or animals" in the second sentence of subsection (a) of the amendatory language of Section 1 and substituting instead the word "doves".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1009, as amended, passed its third and final consideration by the following vote:

Noes	75
Noes	13
Present and not voting	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Love, McAfee, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Turner, Wallace, Webb, Wheeler, Williams, Withers, Wolfe, Wood and Work--75.

Representatives voting no were: Buck, Crain, Davis (Gibson), Gafford, Henry, Herndon, Kisber, Naifeh, Napier, Robertson, Shockley, Tanner and Whitson--13.

Representatives present and not voting were: Brewer, Burnett, Frensley, McNally and Wix--5.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 881--To amend Section 39-6-1718, Code.

Mr. Hillis moved that House Bill No. 881 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 881 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 nor in any county having a population of more than 700,000 according to the 1980 federal census of population or any subsequent federal census nor in any county having a metropolitan form of government.

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 881 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 319,625 nor more than 319,725 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 881 by adding the following new numbered item to the amendatory language of Section 1:

() Any person who is a participant in an event involving the use of weapons that is sponsored by a civic organization if such event is not conducted during regular school hours and if such organization has the written consent of the appropriate school board to conduct such event on school property.

On motion, the amendment was adopted.

Thereupon, House Bill No. 881, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	1
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Work--88.

Representative voting no was: Bivens--1.

Representatives present and not voting were: Brewer and Nance

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1063--To set benefits, certain retired persons.

On motion, House Bill No. 1063 was made to conform with Senate Bill No. 875.

On motion, Senate Bill No. 875, on same subject, was substituted for House Bill No. 1063.

Mr. Jones moved that Senate Bill No. 875 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Work--94.

Representative voting no was: Cobb--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 821--To name portion of U.S. 431 for Thomas E. Austin, Sr.

On motion, House Bill No. 821 was made to conform with Senate Bill No. 435.

On motion, Senate Bill No. 435, on same subject, was substituted for House Bill No. 821.

Mr. Davidson moved that Senate Bill No. 435 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work --96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 37--To enact the Conservation Corps Acts.

On motion, House Bill No. 37 was made to conform with Senate Bill No. 557.

On motion, Senate Bill No. 557, on same subject, was substituted for House Bill No. 37.

Mr. Murphy moved that Senate Bill No. 557 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 557 by inserting the following new section following Section 11 and by renumbering subsequent sections accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds. No state funds shall be appropriated, obligated or expended to implement the provisions of this act. Federal funds shall only be obligated or expended to implement the provisions of this act if such funds are appropriated for such purpose by the provisions of the general appropriations act.

By adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ . The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 nor in any county having a population of more than 700,000 according to the 1980 federal census of population of any subsequent federal census nor in any county having a metropolitan form of government.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 557, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work --96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1074--To make provisions, certain bank employees.

On motion, House Bill No. 1074 was made to conform with Senate Bill No. 321.

On motion, Senate Bill No. 321, on same subject, was substituted for House Bill No. 1074.

Mr. Murphy moved that Senate Bill No. 321 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills,

Dispayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--90.

Representatives voting no were: Harrill, Henry and Robertson--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 97--To increase fees for certain services, sheriffs and constables.

On motion, House Bill No. 97 was made to conform with Senate Bill No. 99.

On motion, Senate Bill No. 99, on same subject, was substituted for House Bill No. 97.

Mr. Murphy moved that Senate Bill No. 99 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	3
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Work--91.

Representatives voting no were: Henry, Robertson and Shirley--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1277--To enact the "Industrial Bank and Regulatory Act".

Mr. Severance moved that House Bill No. 1277 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1277 by deleting all language following the caption except for the enacting clause and substituting the following:

WHEREAS, it is the intention of the General Assembly in enacting this Act to recognize and provide for appropriate and effective regulation of three categories of financial institutions: industrial loan and thrift companies which do not issue investment or thrift certificates and which shall continue to be regulated as industrial loan and thrift companies; industrial investment companies which issue uninsured investment certificates subject to the Tennessee Securities Act, which shall be organized as such, be regulated in their lending activities as industrial loan and thrift companies, but which shall be examined, supervised and liquidated in the same manner as state banks; and industrial banks which issue insured thrift certificates and which shall be organized and qualified as such, be regulated in their lending activities as industrial loan and thrift companies, but which shall be examined, supervised and liquidated in the same manner as state banks; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This Act shall be known as the "Industrial Bank and Investment Company Regulatory Act of 1983."

SECTION 2. Tennessee Code Annotated, Section 45-1-103, is amended by adding the following to the end of Subsection (2):

"and for the purposes of supervision, examination and liquidation, shall include industrial investment companies and industrial banks authorized by Title 45, Chapter 5."

SECTION 3. Tennessee Code Annotated, Section 45-1-104, is amended by deleting the same in its entirety and substituting instead the following:

"The Department of Financial Institutions, created by Section 4-3-101, is charged with the execution of all laws relative to persons doing or engaged in a banking or other

business as provided in this Title, except for pawnbrokers covered by Chapter 6."

SECTION 4. Tennessee Code Annotated, Section 45-1-105, is amended by deleting Subsection (b)(2) in its entirety and substituting instead the following:

"(2) The Deputy Commissioner and Assistant Commissioners shall be persons of good character and have a minimum of three (3) years of experience in the theory and practice of banking, or in the function and operation of credit unions in the case of the Assistant Commissioner for the Credit Union Division, or in the function and operation of industrial loan and thrift companies or industrial banks in the case of the Assistant Commissioner for the Industrial Loan and Thrift Companies Division, all of which must have been in a full-time management or regulatory capacity."

SECTION 5. Tennessee Code Annotated, Section 45-1-108, is amended by adding at the end of the second sentence of Subsection (a), prior to the period, the words, "except that judicial review of orders issued pursuant to Chapter 5 of this Title shall be governed by the Uniform Administrative Procedures Act compiled in Chapter 5 of Title 4."

SECTION 6. Tennessee Code Annotated, Section 45-1-115, is amended by deleting Subsection (a) thereof in its entirety and substituting instead the following:

"(a) There are hereby created within the Department of Financial Institutions the following divisions:

- (1) The Bank Examination Division;
- (2) The Bank Charter and Branch Application Division;
- (3) The Credit Union Division;
- (4) The Administrative and Support Services Division; and
- (5) The Industrial Loan and Thrift Companies Division.

The Commissioner is authorized, with the consent of the Governor, to combine, consolidate or abolish any of these divisions, or to create such new divisions as are necessary to carry out the duties imposed upon him and the Department of Banking."

SECTION 7. Tennessee Code Annotated, Section 45-1-117, is

amended by substituting for the word "bank" wherever it appears the words "institutions regulated by the department."

SECTION 8. Tennessee Code Annotated, Section 45-5-102, is amended as follows:

(a) By adding after the word "company" in Subsection (1) the words "or industrial investment company or industrial bank";

(b) By deleting from Subsection (2) the word "insurance" and substituting instead the words "financial institutions";

(c) By adding a new Subsection (5) as follows:

"(5) 'Industrial bank' is a person organized and registered as such pursuant to this Chapter, engaged in the business of making loans and imposing the interest and loan charges authorized under this Chapter, which issues thrift certificates and which is also examined, supervised and liquidated as a state bank under this Title.";

(d) By adding a new Subsection (6) as follows:

"(6) 'Industrial investment company' is a person organized and registered as such pursuant to this Chapter, engaged in the business of making loans and imposing the interest and loan charges authorized under this Chapter, which issues investment certificates subject to the Tennessee Securities Act and which is also examined, supervised and liquidated as a state bank under this Title.";

(e) By renumbering the present Subsection (5) as Subsection (7), by deleting from the first sentence thereof the words "loan and thrift" and substituting the word "investment"; and by adding at the end of the first sentence thereof the following:

" ,which certificates are not insured by an agency of the United States government.";

and by adding after the word "company" in the second sentence thereof the words "or industrial investment company or industrial bank";

(f) By adding a new Subsection (8) as follows:

"(8) 'Thrift certificate' is a writing by which an industrial bank evidences its receipt of money from a natural person and its obligation to repay the same, with interest in accordance with the provisions

thereof, which is insured by an agency of the United States government. Thrift certificate does not include investment certificate, and does not include commercial paper or other evidence of indebtedness issued by an industrial bank to a bank, insurance company, or other commercial lender.";

(g) by deleting the present Subsection (6) and substituting instead a new Subsection (9) as follows:

"(9) 'Registrant' means any person registered as an industrial loan and thrift company, or industrial investment company, or industrial bank under this Chapter."; and

(h) The other Subsections of Section 45-5-102 shall be renumbered accordingly, as shall any references thereto.

SECTION 9. Tennessee Code Annotated, Section 45-5-103, is amended by adding after the word "company" the words "or industrial bank or industrial investment company" and by deleting the words "of insurance" in the first sentence.

SECTION 10. Tennessee Code Annotated, Section 45-5-104, is amended by adding in the first sentence after the word "companies" the words "or industrial banks or industrial investment companies"; and by adding after the word "bank" in the second sentence the words and marks "(other than industrial banks)."

SECTION 11. Tennessee Code Annotated, Section 45-5-105, is amended by deleting the same and substituting instead the following:

"Persons holding a certificate of registration under the provisions of this Chapter as of the effective date of this Act shall be deemed, as of that date, to be registered as an industrial loan and thrift company hereunder, without the necessity of reapplying or paying any additional fees."

SECTION 12. Part 1 of Chapter 5 of Title 45, Tennessee Code Annotated, is amended by adding the following new section:

"45-5-107. Delegation to Industrial Loan and Thrift Companies Division.-- The Commissioner may by order delegate such of his powers and duties hereunder to the Assistant Commissioner for the Industrial Loan and Thrift Companies Division as are appropriate for the effective administration of this Chapter."

SECTION 13. Tennessee Code Annotated, Section 45-5-201, is amended by designating the existing section as Subsection (a) and adding a new Subsection (b) as follows:

"(b) In order to qualify for registration as an industrial investment company or industrial bank, a person must:

(1) Demonstrate such experience, character and general fitness as to command the confidence of the public and warrant the belief that the business to be operated thereunder will be operated lawfully and fairly;

(2) Have a capital structure in accordance with Section 45-5-603, Tennessee Code Annotated;

(3) Be organized under the Tennessee General Corporation Act, compiled in Chapters 1 through 14 of Title 48 to transact business as an industrial bank or industrial investment company, as the case may be;

(4) Have a name which does not include the word 'bank' or any word deceptively similar thereto; and

(5) Comply with the requirements of Part 6 of this Chapter."

SECTION 14. Tennessee Code Annotated, Section 45-5-205, is amended by changing the period at the end of Subsection (d) to a comma, and adding "or the validity of any investment certificates or thrift certificates issued in accordance with the provisions of this Chapter."

SECTION 15. Tennessee Code Annotated, Section 45-5-301, is amended:

(a) By deleting Subsection (9) and substituting instead:

"(9) If an industrial investment company, not insured by an agency of the United States government, to issue investment certificates subject to the provisions of this Chapter.";

(b) By adding a new Subsection (10) as follows:

"(10) If an industrial bank, insured by an agency of the United States government, to issue thrift certificates subject to the provisions of this Chapter.";

(c) By renumbering the present Subsection (10) to (11).

SECTION 16. Tennessee Code Annotated, Section 45-5-302, is

amended by adding in Subsections (3) and (4) after the word "investment" the words "or thrift."

SECTION 17. Tennessee Code Annotated, Section 45-5-303, is amended by adding a new Subsection (c) as follows:

"(c) The Commissioner is authorized and directed to adopt rules governing the advertisements of registrants under this Chapter in order to prevent confusion as to the different categories of registrants under this Chapter and between such registrants and other financial institutions."

SECTION 18. Subsection (a) of Tennessee Code Annotated, Section 45-5-304, is amended:

(a) By adding a new Subparagraph (1), as follows:

"(1) The registrant has qualified as an industrial investment company and furnishes evidence to the Commissioner that it meets the capital requirements specified in Section 45-5-603."

(b) By renumbering the present Subparagraphs (1) and (2) as (2) and (3), respectively;

(c) By adding at the end of the renumbered Subparagraph (2) the following, "which notice shall specify the number and total dollar amount of certificates to be offered and the terms of the offering"; and

(d) By adding a new Subparagraph (4) and correcting the punctuation accordingly, as follows:

"(4) The registrant furnishes proof that the offering and sale of such investment certificates is covered by an effective registration under the Tennessee Securities Act, or that the Securities Division of the Department of Insurance has reviewed the proposed offering and determined that it is exempt from registration."

SECTION 19. Subsections (d), (e) and (f) of Tennessee Code Annotated, Section 45-5-501, are amended by adding following the word "Commissioner" wherever it appears the words "of Insurance."

SECTION 20. Chapter 5 of Title 45, Tennessee Code Annotated, is amended by adding a new Part 6 as follows:

Part 6 -- Industrial Banks and Industrial Investment Companies.

45-5-601. Supervision and Examination. -- In addition to the supervision and examination for compliance with the provisions of this Chapter as herein provided, industrial

banks and industrial investment companies shall also be supervised and examined as banks for the protection of holders of investment and thrift certificates. To that end, the Commissioner shall have and exercise with respect to industrial banks and industrial investment companies, in addition to the other powers and duties conferred by this Title, the powers and duties specified in Section 45-1-107 and in Part 16 of Chapter 2 of Title 45, which Part 16 shall be fully applicable to industrial banks and industrial investment companies.

45-5-602. Liquidation, Dissolution, and Reorganization of Industrial Banks. -- The provisions of Part 15 of Chapter 2 of Title 45 pertaining to the liquidation, dissolution and reorganization of state banks shall be fully applicable to industrial banks and industrial investment companies.

45-5-603. Capital Structure. --

(a) To be registered as an industrial bank and to be authorized to issue thrift certificates, an industrial bank must have the capital structure required of state banks.

(b) To be registered as an industrial investment company and to be authorized to issue investment certificates, an industrial investment company must have a capital structure in keeping with the scope of its existing and proposed operations, as determined by the Commissioner. In making such determinations, the Commissioner shall consider the justification offered by the applicant in support of its existing or proposed capital structure; the amount of outstanding and proposed investment certificates of the applicant; the number and characteristics of any existing holders of such certificates and of the market contemplated for any proposed offering; the terms of any such proposed offering; the assets and liabilities of the company; the history of profitability of the company; and any other factors deemed pertinent to the protection of investors in such certificates. In no event shall the Commissioner require a capital structure for an industrial investment company less than that required for a comparable industrial loan and thrift company or more than that required for a comparable industrial bank.

45-5-604. Insurance of Thrift Certificates. -- For the purpose of providing for the insurance of thrift certificates, Part 8 of Chapter 2 of Title 45 shall be fully applicable to qualified industrial banks and to thrift certificates issued by them, and for that purpose, the word "bank" as used in that Part shall include "industrial bank" and the word "deposit" as used in that Part shall include "thrift certificate."

45-5-605. Issuance of Thrift Certificates. -- An industrial bank shall not issue thrift certificates until and unless:

(1) It is qualified for federal deposit insurance and its thrift certificates are insured by the Federal Deposit Insurance Corporation;

(2) It has filed the forms, documents and receipts to be used by it in the offering and sale of such thrift certificates with the Commissioner; and

(3) It has complied with all rules and orders of the Commissioner governing the issuance of such thrift certificates by it.

45-5-606. Power of Commissioner to Make Rules with Respect to Investment and Thrift Certificates. -- In addition to the other rule-making powers conferred upon the Commissioner by this Title, the Commissioner is authorized and directed to adopt rules governing the issuance, offering and sale of investment certificates by industrial investment companies or thrift certificates by industrial banks and all operations of industrial investment companies and industrial banks in connection therewith in order to protect the interests of the holders of such certificates, including, without limitation, the maintenance of appropriate reserves.

45-5-607. Applicability of Laws Pertaining to Banks. - In order to protect the interests of holders of thrift certificates, in addition to the other provisions of Chapters 1 and 2 of this Title made applicable by this Chapter to industrial banks, the following sections shall be applicable to industrial banks as to state banks generally: 45-1-122; 45-2-101; 45-2-103; 45-2-203; 45-2-207(a), (c) and (d); the second paragraph of 45-2-207(b), except the reference to "trust powers"; 45-2-208, except that loan limits for industrial banks shall be controlled by Section 45-5-302, rather than Section 45-2-1102; 45-2-209; 45-2-404; 45-2-607, except that industrial banks may invest in obligations which satisfy the requirements of Chapter 5 of this Title; and 45-2-616.

45-5-608. Conversion of Industrial Loan and Thrift Companies. -- Any industrial loan and thrift company holding a certificate of registration under this Chapter may convert to an industrial bank or to an industrial investment company by meeting the qualifications for operating as an industrial bank or industrial investment company as provided in this Chapter. The Commissioner shall provide forms for applications for such conversion and may adopt rules governing such conversion.

45-5-609. Conversion of Investment Certificates to Thrift Certificates. -- Any outstanding investment certificates of an industrial loan and thrift company or of an industrial investment company which converts to operation as an industrial bank or any outstanding investment certificates of an industrial bank may be converted to thrift certificates, if such certificates will be insured by the Federal Deposit Insurance Corporation and otherwise meet the requirements for thrift certificates provided in this Chapter and of any applicable rules adopted by the Commissioner.

45-5-610. Fees. -- The Commissioner is authorized and directed to adopt a schedule of fees to cover the reasonable costs of examination and supervision and of the processing of conversion applications provided for in this Part. Failure to pay any such fee shall be cause for suspension or revocation of authority or denial of any application."

SECTION 21. Tennessee Code Annotated, Section 48-16-103(a)(4), is amended by deleting the words "or any industrial loan and thrift company organized and supervised under the laws of this state, which has issued and sold its investment certificates for not less than ten (10) years and upon which no default has occurred during such ten year term" and substituting instead the words "or any thrift certificates which are issued and sold by an industrial bank organized and supervised under the laws of this state which is insured pursuant to the provisions of the Federal Deposit Insurance Act (12 U.S.C., Sections 1811, et seq.), as that Act may be amended from time to time."

SECTION 22. Tennessee Code Annotated, Section 4-3-104, is amended by adding a new Subsection which reads as follows:

"() References in Tennessee Code Annotated, Title 45, Chapter 5, except Tennessee Code Annotated, Section 45-5-501(d)(e) and (f), and Section 45-5-304(a)(3), to the Department of Insurance shall be deemed to be references to the Department of Financial Institutions."

SECTION 23. Tennessee Code Annotated, Section 4-3-113, is amended by adding a new Subsection which reads as follows:

"() References in Tennessee Code Annotated, Title 45, Chapter 5, except Tennessee Code Annotated, Section 45-5-501(d), (e) and (f), to the Commissioner of Insurance shall be deemed references to the Commissioner of Financial Institutions."

SECTION 24. Application to Prior Transactions. -- Transactions validly entered into before the effective date of this Act, and the rights, duties and interests flowing from them, remain valid thereafter, and may be terminated, completed, consummated or enforced as required or permitted by any statute

or other law repealed or amended by this Act, as though such repeal or amendment had not occurred.

SECTION 25. The provisions of this Act are declared to be remedial in nature and the provisions of this Act shall be liberally construed to effectuate its purposes. Any doubt as to the existence or extent of a power conferred shall be resolved in favor of the existence of the power, to the end that the Commissioner may effectively regulate industrial loan and thrift companies, industrial investment companies, and industrial banks in the public interest. However, in the event of any conflict between the procedures incorporated in this Act from Chapters 1 and 2 of Title 45, Tennessee Code Annotated, and Chapter 5 of Title 45 or the Uniform Administrative Procedures Act, the provisions of Chapter 5 or the Uniform Administrative Procedures Act shall control.

SECTION 26. Nothing in this Act shall be deemed as invalidating or otherwise affecting the efficacy of existing rules, regulations, or orders pertaining to the operations of industrial loan and thrift companies, including, without limitation, regulations pertaining to insurance; and such rules, regulations, or orders shall continue to apply to industrial loan and thrift companies, industrial investment companies, and industrial banks until amended or repealed.

SECTION 27. If any provision of this Act or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end, the provisions of this Act are declared to be severable.

SECTION 28. This Act shall take effect upon becoming law, the public welfare requiring it.

Mr. Severance moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by adding the following new Section 45-5-609 immediately following 45-5-608 in Section 20 and by renumbering present Sections 45-5-609 and 45-5-610 as Sections 45-5-610 and 45-5-611 respectively:

45-5-609. Acquisition by Another Financial Institution.--

(a) Any industrial loan and thrift company holding a certificate of registration under this chapter which has converted into an industrial bank may, with the approval of the Commissioner, be merged into a state bank in accordance with the procedures contained in Tennessee Code Annotated, Section 45-2-1304 if the following conditions are met:

- (1) the industrial loan and thrift company was legally chartered to transact business before 1930, and has, since its original incorporation, and prior to the enactment of this Act, maintained branch offices in more than four (4) counties;
- (2) the industrial loan and thrift company has been registered continuously with the State of Tennessee since the first enactment of statutes regulating the industrial loan and thrift industry; and
- (3) the capital of the industrial loan and thrift company is, in the opinion of the Commissioner, impaired or the company is, in the opinion of the Commissioner, otherwise in an unsound condition as evidenced by a pending petition for corporate reorganization in bankruptcy or other similar legal proceeding.

(b) The authority of the Commissioner to approve the mergers authorized in subsection (a) of this section shall extend only to those transactions for which a merger agreement has been filed with the Commissioner on or before December 1, 1983.

(c) The Commissioner shall not approved any merger of an industrial bank into a state bank under the provisions of this section unless he determines that the industrial bank will not be owned or controlled, directly or indirectly, by any person who would not be otherwise qualified to own or acquire control in a state bank.

(d) For a period of three (3) full years following the effective date of the merger of an industrial bank into a state bank, in those counties other than the county in which the principal office of a state bank is located, the state bank into which the industrial bank is merged may continue to operate only those branch offices of the original industrial loan and thrift company that were in existence and operating on January 1, 1983 and those branch offices for which, in the opinion of the Commissioner, land acquisition and plans for construction were substantially complete on or before January 1, 1983.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 1277, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter--94.

Representatives present and not voting were: Moore (Sullivan), and Shirley--2.

A motion to reconsider was tabled.

House Bill No. 1131--To make certain provisions, hazardous waste management.

On motion, House Bill No. 1131 was made to conform with Senate Bill No. 1082.

On motion, Senate Bill No. 1082, on same subject, was substituted for House Bill No. 1131.

Mr. McNally moved that Senate Bill No. 1082 be passed on third and final consideration.

Mr. Sir moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1082 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

Section _____. If the department of public health has not dismissed the complaint within forty-five (45) days, the local district attorney general shall petition the Tennessee Bureau of Investigation who shall have the authority to continue the investigation based on such complaint. This shall not preclude the participation by the department of public health in such investigation by providing technical and advisory support and assistance to the Tennessee Bureau of Investigation.

Mr. McNally moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	32
Present and not voting	5

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Dills, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hudson, Huskey, Jared, Kelley, Kent, King (Washington), Kisber, McAfee, McNally, Montgomery, Naifeh, Nance, Percy, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood--55.

Representatives voting no were: Bell, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Dixon, Drew, Herndon, Hillis, Hurley, Jones, Kernell, King (Shelby), McKinney, Miller, Moore (Sullivan), Murphy, Murray, Napier, Owen, Phillips, Pruitt, Sir, Turner, Withers and Wix --32.

Representatives present and not voting were: Covington, DePriest, Johnson, Love and Rhinehart--5.

Thereupon, Senate Bill No. 1082, passed its third and final consideration by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--95.

Representative voting no was: DeBerry--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Senate Joint Resolution No. 40--Relative to funding, Clinch River Breeder Reactor.

Mr. McNally moved that Senate Joint Resolution No. 40 be concurred in.

Mr. McKinney moved that Senate Joint Resolution No. 40 be referred to the Committee on Agriculture.

Mr. Owen moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	51
Noes	30
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bewley, Burnett, Byrd, Chiles, Clark (Sumner), Davis (Hamilton), DeBerry, Ellis, Elsea, Ford, Frensley, Gaia, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), McAfee, McNally, Miller, Murray, Nance, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Starnes, Turner, Webb, Wheeler, Whitson, Williams, Withers, Wolfe and Wood--51.

Representatives voting no were: Bell, Bivens, Bragg, Buck, Clark (Davidson), Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), Disspayne, Dixon, Drew, Gafford, Gill, Herndon, Kisber, Love, McKinney, Moore (Sullivan), Murphy, Naifeh, Napier, Phillips, Pruitt, Sir, Stallings, Tanner, Wix and Work--30.

Representatives present and not voting were: Covington, Montgomery and Wallace--3.

Mr. Owen moved the previous question, which motion prevailed by the following vote:

Ayes	73
Noes	16
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Murray, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Smith, Stafford, Stallings, Starnes, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--73.

Representatives voting no were: Bivens, Bragg, Clark (Davidson), Cobb, Davidson, Disspayne, Gaia, Hurley, Kernell, McKinney, Moore (Sullivan), Murphy, Naifeh, Napier, Scruggs and Tanner--16.

Representative present and not voting was: Sir--1.

Thereupon, Senate Joint Resolution No. 40 was concurred in by the following vote:

Ayes	55
Noes	21
Present and not voting	10

Representatives voting aye were: Atchley, Bell, Bewley, Burnett, Byrd, Chiles, Clark (Sumner), Davis (Hamilton), DeBerry, Drew, Ellis, Elsea, Ford, Frensley, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Shelby), Love, McAfee, McNally, Miller, Moore (Shelby), Murray, Nance, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Starnes, Turner, Webb, Wheeler, Whitson, Withers, Wix, Wood and Work--55.

Representatives voting no were: Bivens, Bragg, Buck, Clark (Davidson), Cobb, Covington, Davidson, DePriest, Dixon, Gafford, Gaia, Herndon, McKinney, Moore (Sullivan), Murphy, Naifeh, Napier, Phillips, Pruitt, Stallings and Williams--21.

Representatives present and not voting were: Anderson, Crain, Davis (Gibson), Dills, Gill, Kent, Kisber, Sir, Tanner and Wallace--10.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 802--To provide for juvenile courts, certain counties.

Ms. Williams moved that House Bill No. 802 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally,

Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work --95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1146--To change name, Department of Public Health.

On motion, House Bill No. 1146 was made to conform with Senate Bill No. 1039.

On motion, Senate Bill No. 1039, on same subject, was substituted for House Bill No. 1146.

Mr. McAfee moved that Senate Bill No. 1039 be passed on third and final consideration.

Mr. Chiles moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1039 by adding before the effective date section the following and by renumbering the subsequent section accordingly:

Section _____. Any supplies, stationery, and other material which contain the name of the department of public health shall be used before any such new materials containing the new name are utilized.

On motion, the amendment was adopted.

Mr. McKinney moved that Senate Bill No. 1039 be placed on the Calendar for first Calendar for 1984.

Mr. McAfee moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	46
Noes	39
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bewley, Clark (Sumner), Cobb, Copeland, Davis (Hamilton), Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Jones, Kelley, Kent, Kernell, King (Washington), McAfee, McNally,

Montgomery, Murray, Nance, Percy, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Wood--46.

Representatives voting no were: Bell, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Gafford, Herndon, Hillis, Jared, Jones, Kisber, McKinney, Miller, Murphy, Naifeh, Napier, Phillips, Pickering, Pruitt, Rhinehart, Shirley, Sir, Stallings, Tanner, Wheeler, Withers and Work--39.

Representatives present and not voting were: Moore (Sullivan), Owen and Wix--3.

Mr. Rhinehart moved that Senate Bill No. 1039 be placed on the next available space on the next available Calendar.

Mr. Robertson moved that the motion be table, which motion failed by the following vote:

Ayes	45
Noes	45
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Cobb, Copeland, Davis (Hamilton), Ellis, Elsea, Ford, Frensey, Gaia, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Nance, Percy, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Starnes, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Wood --45.

Representatives voting no were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Gafford, Gill, Herndon, Hillis, Jared, Jones, Kernell, King (Shelby), Kisber, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Shirley, Sir, Stallings, Tanner, Wheeler, Withers and Work--45.

Representatives present and not voting were: Covington, Owen and Wix--3.

Thereupon, the motion to place Senate Bill No. 1039 on the next available Calendar prevailed by the following vote:

Ayes	49
Noes	45

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills,

Disspayne, Dixon, Drew, Gafford, Gaia, Gill, Herndon, Hillis, Jared, Johnson, Jones, Kernell, Kisber, McKinney, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Shirley, Sir, Stallings, Tanner, Wheeler, Withers, Wix and Work--49.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Ellis, Elsea, Ford, Frensley, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Kelley, Kent, King (Shelby), King (Washington), McAfee, McNally, Miller, Montgomery, Moore (Shelby), Nance, Percy, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Wood--45.

Senate Bill No. 1039 was placed in the Calendar for Thursday, May 5, 1983.

House Bill No. 1302--To amend Section 56-32-102, Code.

Mr. Starnes moved that House Bill No. 1302 be passed on third and final consideration.

Mr. DePriest moved the previous question, which motion prevailed by the following vote:

Ayes	77
Noes	12

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--77.

Representatives voting no were: Crain, Gafford, Henry, Jared, Johnson, McNally, Montgomery, Murray, Rhinehart, Scruggs, Shirley and Stafford--12.

Thereupon, House Bill No. 1302, passed its third and final consideration by the following vote:

Ayes	84
Noes	8
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--84.

Representatives voting no were: Bragg, Crain, Herndon, Jared, Johnson, Jones, Rhinehart and Shirley--8.

Representative present and not voting was: Brewer--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 470--To make provisions, reassessments of property.

On motion, House Bill No. 470 was made to conform with Senate Bill No. 614.

On motion, Senate Bill No. 614, on same subject, was substituted for House Bill No. 470.

Mr. McNally moved that Senate Bill No. 614 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,

Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1153--To amend Securities Act.

On motion, House Bill No. 1153 was made to conform with Senate Bill No. 1059.

On motion, Senate Bill No. 1059, on same subject, was substituted for House Bill No. 1153.

Mr. Anderson moved that Senate Bill No. 1059 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1059 by deleting in subsection (f) (1) (B) of Section 3 all the words and punctuation following the words "fractional interests" in the seventh line and by substituting in lieu thereof the word and punctuation ";or".

and by adding at the conclusion of subsection (f) (1) (B) of Section 3 the following:

"(C) such person is a corporation which offers for sale undivided fractional interests not meeting the specifications of either (A) or (B) above only to other corporations where both corporations are regularly engaged in the business of exploring, developing and operating for oil, gas and other minerals and where each corporation has a net worth of at least fifty thousand (\$50,000).

For the purposes of this provision, services shall be valued at the fair market value of similar services and at competitive rates, and such value shall be established prior to the sale of any interests."

On motion, the amendment was withdrawn.

Thereupon, Senate Bill No. 1059, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Work moved that House Bill No. 1319 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 926--To mandate compliance with Sunshine Law, general assembly.

Mr. Cobb moved that House Bill No. 926 be passed on third and final consideration.

Mr. Owen moved that House Bill No. 926 be placed on the next available space on the next calendar.

Mr. Cobb moved that the motion be tabled, which motion failed by the following vote:

Ayes	36
Noes	43
Present and not voting	5

Representatives voting aye were: Atchley, Bivens, Burnett, Chiles, Clark (Davidson), Cobb, Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Ford, Frensley, Harrill, Hassell, Henry, Huskey, Kelley, Kent, King (Shelby), McAfee, McNally, Montgomery, Moore (Sullivan), Murphy, Percy, Phillips, Pickering, Rhinehart, Scruggs, Sir, Stallings, Starnes, Wallace, Williams, Wolfe and Wood--36.

Representatives voting no were: Bell, Bewley, Buck, Byrd, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Elsea, Gafford, Gaia, Gill, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Washington), Kisber, McKinney, Miller, Murray, Nance, Napier, Owen, Robertson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Smith, Tanner, Turner, Webb, Wheeler, Whitson, Wix and Work--43.

Representatives present and not voting were: Anderson, Bragg, Covington, Stafford, and Ussery--5.

Thereupon, on motion, the motion to place House Bill No. 926 on the next available Calendar prevailed.

House Bill No. 926 was placed on the Calendar for Thursday, May 5, 1983.

Mr. Bragg moved that House Bill No. 1034 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Mr. Cobb objected to House Bill No. 24.

Under the rules, House Bill No. 24 was placed at the foot of the Calendar for Tuesday, May 3, 1983.

House Resolution No. 24--Relative to study, TVA.

House Joint Resolution No. 179--Relative to extending reporting date, certain study.

House Bill No. 874--To make loan-scholarship program, certain medical students.

House Resolution No. 61--Relative to continuing Special Committee on Juvenile Correction.

House Joint Resolution No. 212--Relative to acknowledging Paul A. Snider.

House Joint Resolution No. 218--Relative to commending Jane L. Pickens.

House Joint Resolution No. 219--Relative to honoring Betty S. Haynes.

House Joint Resolution No. 220--Relative to honoring Dr. Frank Knittel.

Mr. Gill Moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

- 49--Relative to naming National Guard Armory, Memphis;
- 138--Relative to 63rd Tennessee Volunteer Infantry;
- 172--Relative to congratulating Cheatham County High School boys' basketball team;
- 173--Relative to commending Tennessee National Guard;
- 183--Relative to recognizing St. Matthew's Episcopal Church;
- 185--Relative to encouraging recreational use, Ocoee River;
- 188--Relative to memory, Sam Hodges;
- 191--Relative to memory, Jim Wilkerson;
- 193--Relative to memory, Frank Webb;
- 194--Relative to honoring William B. Sansom;
- 195--Relative to recognizing Barbara Booker, Denise Marshall and Ruth Stokes;
- 196--Relative to congratulating Tri-Cities Christian High School Basketball Team;

198--Relative to congratulating Austin-East High School girls' track team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

272--To make certain provisions, election of constables;

533--To make certain provisions, student loans;

582--To provide for sewer service, certain counties;

638--To amend Uniform Gifts to Minors Act;

705--To exempt Hamilton County, certain voter registration;

765--To require timely notice, trial date changes;

781--To regulate notice of appellate decrees;

879--To authorize certain transactions between banks and savings associations;

880--To create offense of false reporting to authorities;

979--To regulate collection of fines, municipal court;

1136--To regulate child welfare agencies;

1183--To make certain provisions, hospitalization costs for indigent; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 204, 507, 552, 553, 675, 720, 853, 887, 1281, 1283, 1286, 1287, 1288, 1295, 1297, 1298, 1300 and 1301; also, House Joint Resolutions Nos. 62, 216 and 217; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

98--To provide sick leave banks, certain institutions;

416--To regulate registration, motor vehicles;

765--To define minor, respect to alcoholic beverages;

858--To regulate coon hunting season;

1086--To require corporate surety bonds, beer wholesalers; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

65--Relative to increasing certain contract fee, Meharry Medical College;

83--Relative to obtaining decree, will, William A. Goodwyn;

84--Relative to study, Home Health Care Agencies;

102--Relative to honoring Bill Bilyeu;

103--Relative to congratulating Susan Goodman; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

174--Relative to confirming appointment, Jim Carmichel, TWRA;

175--Relative to confirming appointment, Thomas L. Knowles, TWRA;

176--Relative to confirming appointment, Frank R. Madlinger, TWRA;

213--Relative to congratulating Carole "Lynn" McKinney; all

concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

741--To make certain provisions, general sessions courts;

954--To regulate retail installment contracts;

1021--To clarify definition of shoplifting;

1129--To make certain provisions, services to mentally ill;

1181--To increase size and weight limits, certain motor vehicles;
all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 499; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 499.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

491--To amend Drug Control Act;

906--To amend Administrative Procedures Act; both substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

44--To regulate sale, substances purporting to be certain controlled substances.

The Senate nonconcurred in House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 81, 103, 362, 415, 560, 568, 728, 848, 909 and 1114; also Senate Joint Resolution No. 88; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 81, 103, 362, 415, 560, 568, 728, 848, 909 and 1114; and Senate Joint Resolution No. 88.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

527--To regulate voter registration by mail.

The Senate refused to recede from its action in adopting Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

64--To continue Alcoholic Beverage Commission.

The Senate refused to recede from its action in adopting

Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

197--To make certain provisions, motor vehicle privilege taxes.

The Speaker appointed a Conference Committee composed of Senators Rucker, Lashlee and Burleson to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 197.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

779--To amend Sections 18-5-106 and 18-5-107, Code.

The Senate lifted the tabling motion; reconsidered action in passing the bill; reconsidered action in adopting Amendment No. 1; withdrew Amendment No. 1; reconsidered action in adopting Amendment No. 3; withdrew Amendment No. 3; adopted Amendment No. 4; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 196--To make certain provisions, retirement system.

SENATE AMENDMENT NO. 4

Amend House Bill No. 196 by inserting in Section 26 before the words, "in any field" the words

as an investment advisor

SENATE AMENDMENT NO. 5

Amend House Bill No. 196 in Section 10,

1. by deleting the following from Subsection (a):

"with a participation date prior to July 1, 1983"

2. by inserting the following after the words "as they exist" in Subsection (b):

"for state employees"

3. by deleting the following from Subsection (b):

"the cost of living adjustments granted in accordance with Sections 8-35-207 and 8-36-701; noncontributory retirement coverage authorized in Section 8-34-206(d);"

Mr. Rhinehart moved that the House concur in Senate Amendments Nos. 4 and 5, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--92.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1123--To enact Emergency Powers Act.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1123 by deleting Section 3 in its entirety and substituting in lieu thereof the following:

(a) On February 1 of each year, or on more frequent occasions during periods of construction or when there is a change in designated capacity, the commissioner shall inform the Speaker of the Senate, the Speaker of the House of Representatives and the Chairman of the Judiciary Committees of the Senate and House of Representatives and the chairman of State and Local Government Committee of the Senate as to the designated capacity and in-house population of the correctional facilities administered by

the department of correction and the reasons for the changes in the designated capacity, if any.

(b) Nothing in this Act shall be construed to affect the authority of the General Assembly to appropriate funds for the construction, renovation or alteration of correctional facilities administered by the department of correction.

(c) Nothing in this Act shall be construed to affect the authority of the State Building Commission to review, approve and oversee projects relating to the construction, renovation or alteration of correctional facilities administered by the department of correction.

Mr. Wood moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes 91
Noes 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--91.

Representatives voting no were: Buck and DeBerry--2.

A motion to reconsider was tabled.

The Clerk announced House Bill No. 545 would be deferred until Wednesday, May 4, 1983, which motion prevailed.

Mr. Herndon moved that the rules be suspended for the purpose of introducing House Resolution No. 63 out of order, which motion prevailed.

House Resolution No. 63--Relative to congratulating Ford Hollingsworth--By Herndon.

Mr. Herndon moved that the rules be suspended for the immediate consideration of House Resolution No. 63, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Herndon moved that the rules be suspended for the purpose of introducing House Resolution No. 64 out of order, which motion prevailed.

House Resolution No. 64--Relative to congratulating, Ruth McElmurry--By Herndon.

Mr. Herndon moved that the rules be suspended for the immediate consideration of House Resolution No. 64, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 225 out of order, which motion prevailed.

House Joint Resolution No. 225--Relative to honoring Huntingdon High School basketball team--By Kelley.

Mr. Kelley moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 225, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. DePriest moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 227 out of order, which motion prevailed.

House Joint Resolution No. 227--Relative to congratulating Richland High School Lady's basketball team--By DePriest.

Mr. DePriest moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 227, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 229 out of order, which motion prevailed.

House Joint Resolution No. 229--Relative to congratulating Oakland High School basketball team--By Bragg and Buck.

Under the rules, House Joint Resolution No. 229 was referred to the Committee on Calendar and Rules.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 230 out of order, which motion prevailed.

House Joint Resolution No. 230--Relative to study, state and local revenue structure--By Bragg and Kernell.

Under the rules, House Joint Resolution No. 230 was referred to the Committee on Calendar and Rules.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 231 out of order, which motion prevailed.

House Joint Resolution No. 231--Relative to commending Rust Engineering Company--By Wheeler and McNally.

Mr. Wheeler moved that the rules be suspended for the immediate consideration of House Joint Resolutions No. 231, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Robertson moved that the rules be suspended for the purpose of introducing House Bill No. 1343 out of order which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 1343--To regulate construction, Campbell County --By Robertson.

Passed first consideration.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Tuesday, May 3, 1983:

House Bill No. 190--Murphy

House Bill No. 340--Shockley

House Bill No. 273--Bucks

House Bill No. 870--Naifeh

House Bill No. 835--Severance

House Bill No. 917--Gill
Senate Bill No. 114--Gill

BILLS RE-REFERRED

On motion of Mr. Jared, House Bill No. 1285 was recalled from the Committee on Conservation and Environment.

On motion, of Mr. Jared, House Bill No. 1285 was referred to the Committee on Calendar and Rules.

On motion of Mr. Moore (Sullivan), House Bill No. 708 was recalled from the Committee on State and Local Government.

On motion of Mr. Moore (Sullivan), House Bill No. 708 was referred to the Committee on Finance, Ways and Means.

BILL WITHDRAWN

On motion of Mr. Stallings, House Bill No. 990 was recalled from the Committee on Judiciary.

On motion of Mr. Stallings, House Bill No. 990 was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

- House Bill No. 37--Moore (Sullivan)
- House Bill No. 266--McNally
- House Bill No. 501--Wallace
- House Bill No. 709--Stallings

SECOND ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley,

Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--96.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 222--Relative to memory, Fred L. Dugger--By Whitson and Percy.

Under the rules, House Joint Resolution No. 222 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 223--Relative to monitoring progress of Cockrill Bend project--By Murphy.

The Speaker referred House Joint Resolution No. 223 to the Committee on Transportation.

House Resolution No. 65--Relative to congratulating Cary Yancy --By Williams.

Under the rules, House Resolution No. 65 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1332--To enact Technology Corridor Development Authority Act--By Owen.

Passed first consideration.

House Bill No. 1333--To create office of County Attorney, Hawkins County--By Hurley.

Passed first consideration.

House Bill No. 1334--To regulate sewage disposal systems, certain counties--By Gafford.

Passed first consideration.

House Bill No. 1335--To set coon season, Jefferson County--By Atchley and Ford.

Passed first consideration.

House Bill No. 1336--To set coon season, Grainger County--By Atchley and Hurley.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 445--To regulate collection, fee, beer license.

Passed first consideration.

Senate Bill No. 828--To set maximum effective rates of interest.

Passed first consideration.

Senate Bill No. 1099--To regulate options, renew state leases.

Passed first consideration.

Senate Bill No. 1194--To authorize tax, certain products sewered from ground, certain counties.

Passed first consideration.

Senate Bill No. 1202--To levy amusement tax, certain counties.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1326--To levy wheel tax, Henry County.

Passed second consideration and held without reference.

House Bill No. 1327--To set coon season Fentress, Overton and Morgan Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1328--To authorize amusement tax, certain counties.

Passed second consideration and held without reference.

House Bill No. 1329--To permit professional process services, certain counties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1330--To amend Section 67-3052, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1331--To amend Charter, Henderson.

Passed second consideration and held without reference.

REPORTS FROM STANDING COMMITTEES

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1299.

HILLIS, Chairman.

Under the rules, House Bill No. 1299 was transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 117 (with amendment), 391, 1116 (with amendment), 1284 (with amendment) and Senate Bill No. 676.

BRAGG, Chairman.

Under the rules, House Bills Nos. 117, 391, 1116, 1284 and Senate Bill No. 676 were transmitted to the Committee on Calendar and Rules.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 99.

ROBINSON (Davidson), Chairman.

Under the rules, House Joint Resolution No. 99 was transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, May 3, 1983: House Bills Nos. 1092, 279, 529, House Joint Resolution No. 160, House Bills Nos. 947, 851, 101, 1164, 46, 933, 510, 914, 1134, 71, 711, 1000, 1161, 1162, 266, Senate Bill No. 769, and House Bill No. 1158.

GILL, Chairman.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1326 and 1331.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, May 3, 1983: House Joint Resolution No. 229; House Resolution No. 65; House Joint Resolution No. 222, and House Bills Nos. 1326 and 1331.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 667, 802, 874, 881, 1029, 1213, 1277 and 1302; and House Joint Resolutions Nos. 167, 179, 212, 218, 219, 220, 225, 227 and 231; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 10:00 a.m. tomorrow.